



Attorney Docket No. YO999-478

AF
JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): S.H. Maes et al.
Docket No.: YO999-478
Serial No.: 09/544,823
Filing Date: April 6, 2000
Group: 2142
Examiner: Douglas B. Blair

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: William E. Lewis Date: November 21, 2005

Title: Methods and Systems for Multi-Modal Browsing and Implementation of a Conversational Markup Language

TRANSMITTAL LETTER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is the following document relating to the above-identified patent application:

- (1) Response to Notification of Non-Compliant Appeal Brief; and
- (2) Amended Appeal Brief.

There is no additional fee due in conjunction with the response. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **International Business Machines Corporation Deposit Account No. 50-0510** as required to correct the error.

Respectfully submitted,

William E. Lewis
Reg. No. 39,274
Attorney for Applicant(s)
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-2946

Date: November 21, 2005



Attorney Docket No. YO999-478

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): S.H. Maes et al.

Docket No.: YO999-478

Serial No.: 09/544,823

Filing Date: April 6, 2000

Group: 2142

Examiner: Douglas B. Blair

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature:  Date: November 21, 2005

Title: Methods and Systems for Multi-Modal Browsing and Implementation of a Conversational Markup Language

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the outstanding Office Action dated October 20, 2005, Applicants (hereinafter "Appellants") present the following remarks for consideration.

REMARKS

In the Notification of Non-Compliant Appeal Brief, the Examiner alleges that the Appeal Brief filed on July 25, 2005 is missing an “Evidence Appendix” heading and a “Related Proceedings Appendix” heading.

Appellants point out that M.P.E.P. §1205.02 states that “[i]f there is no evidence being relied upon by appellant in the appeal, then an evidence appendix should be included with the indication ‘none’” (underlining added for emphasis). The same section also states that “[i]f there are no such copies of decisions being submitted in the appeal, then a related proceedings appendix should be included with the indication ‘none’” (underlining added for emphasis). Appellants interpret use of the term “should” as something desirable but not required, as opposed to use of the term “must” which denotes a requirement. This is consistent with the apparent purposeful and selective usage of the two terms in other parts of this section of the M.P.E.P., as well as in other sections of same. Accordingly, Appellants do not believe that such appendices are required and their express absence indicate that no such evidence or copies of decisions are included in the Appeal Brief.

The Notification of Non-Compliant Appeal Brief alleges that the “Summary of Claimed Subject Matter” section fails to contain reference to the figures and any necessary reference numerals.

Appellants submit herewith an Amended Appeal Brief containing the requested “Evidence” and “Related Proceedings” appendices, and an updated “Summary of Claimed Subject Matter” section. It is therefore requested that the objections be withdrawn and the appeal proceed without further delay.

Respectfully submitted,



William E. Lewis
Attorney for Applicant(s)
Reg. No. 39,274
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-2946

Date: November 21, 2005